

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

Rowena Tabliago, et al.)	
)	
Plaintiffs,)	Case No. 08-cv-2688
)	
v.)	Judge Hibbler
)	
Michael Chertoff, et al)	
)	
Defendants.)	

MOTION TO DISMISS
COMPLAINT FOR WRIT OF MANDAMUS

NOW COME the Plaintiffs ROWENA TABLIAGO, NELSON TABLIAGO, and NIKKO ROWE TABLIAGO (hereinafter "Plaintiffs"), by and through their attorneys, AzulaySeiden LawGroup, and move to dismiss their complaint for a writ of mandamus and state as follows:

1. The complaint for writ of mandamus was filed on May 9, 2008, by the Plaintiffs to compel Michael Chertoff and the other named Defendants to adjudicate the Plaintiffs' applications for lawful permanent resident status in the United States.
2. In June 2008, Plaintiff Rowena Tabliago, and her husband, Plaintiff Nelson Tabliago were approved for lawful permanent residence by U.S. Citizenship & Immigration Services ("USCIS").
3. An officer with USCIS contacted counsel for Plaintiffs and advised him that Plaintiff Nelson Tabliago's (Plaintiffs Rowena and Nelson's minor son) application was conditionally approved pending completion of his background check.

4. As the lead plaintiffs have been approved for lawful permanent residence and USCIS has represented that Plaintiff Nelson Tabliago will be approved pending completion of his background check, Plaintiffs now move to dismiss their complaint.

WHEREFORE, Plaintiffs request that the Complaint for Writ of Mandamus filed in this matter be dismissed.

Respectfully submitted,
Rowena, Nelson and Nikko Rowe Tabliago

By: s/Kevin A. Raica
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CERTIFICATE OF SERVICE

I, Kevin A. Raica certify that on July 18, 2008, the attached Motion to Dismiss Complaint for Writ of Mandamus was served upon counsel for Defendants via electronic filing:

Assistant U.S. Attorney
219 S. Dearborn Street, 5th Floor
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____s/Kevin A. Raica_____
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